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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,009	02/01/2000	Raymond W. Ellis	21183-P001US	5583

7590 09/01/2006

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EXAMINER

BENZON, GREG C

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/496,009

Applicant(s)

ELLIS ET AL

Examiner

Greg Bengzon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8-15,18-26,39-42 and 45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-6, 8-15, 18-26, 39-42, 45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other. _____ |

DETAILED ACTION

This application has been examined. Claims 1-2, 4-6, 8-15, 18-26, 39-42, 45 are pending. Claims 3,7,17, 23-38, 43,44,46 are cancelled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/16/2006 has been entered.

Priority

The effective date of the claims described in this application is February 1, 2000.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, 8-14, 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangachari et al. (US Patent 6470227), in view of Tadokoro et al. (US 6463352), further in view of Tenney et al. (US Patent 6944584).

Rangachari disclosed (re. Claim 1) receiving a first request from the remote client system via the network; (see Rangachari, Col. 8, lines 43-46, Col. 9, lines 22-42, Col. 10, lines 45-51)

determining a first type of said first request (see Rangachari, Col. 10, lines 52-64) based at least in part on a first predetermined field contained in said first request; and

sending a first message to the tool in response to said first request and said first type, wherein said first message is operable for controlling an action of said tool (see Rangachari, Col. 6, lines 26-51, Col. 7, lines 20-24 and Col. 8, lines 17-20)

However Rangachari did not disclose (re. Claim 1) using a first predetermined field in a portion of said first request.

While Rangachari disclosed a user interface that a user manipulates for automated control of the devices (Rangachari- Column 9 Lines 33-40, Column 10 Lines 35-60) via the Internet (Rangachari-Column 6 Lines 20-25), Rangachari did not disclose utilizing a Web browser.

Tadokoro disclosed (re. Claim 1) using a first predetermined field in a portion of said first request. (Tadokoro teaches utilizing IP address, port at an IP address), see Tadokoro, Co. 10, lines 1-25.

Rangachari and Tadokoro are analogous art because they present concepts and practices regarding distributed software components for controlling machines remotely via a network. It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tadokoro's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari, for the purpose of improving workflow efficiency of a system by better monitoring processes, thereby preventing bottlenecks (see Tadokoro, Col. 2, lines 10-25).

Tenney disclosed (re. Claim 1) using a Web browser for controlling motions of devices. (Tenney-Column 6 Lines 55-65)

Rangachari, Tadokoro, and Tenney are analogous art because they present concepts and practices regarding distributed software components for controlling machines remotely via a network. It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tenney's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari-Tadokoro, for the purpose of using non-proprietary network protocols for simplified network communications (Tenney-Column 2 Lines 10-15).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 2) the step of determining an identification of a tool object corresponding to said tool using a second predetermined field in said portion of said request (see rejection of claim 1, *supra*).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 4) wherein said tools return at least one second message associated with said first action, said method further comprising the step of caching said at least one second message (see Rangachari, Col. 13, lines 50-64, Column 15 Lines 10 and Tadokoro, Col. 13, lines 12-28).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 5) receiving a second request and generating a response to the second request using said second message (Rangachari teaches that methods are invoked between application objects and servers to perform specific tasks outlined within a message), (see Rangachari, Col. 10, lines 52-64, Figure 1J).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 6) the step of sending said response to a client system initiating said first and second requests (Rangachari teaches that the client is notified of the completion of a task along with any attributes that are need), see Rangachari, Col. 10, lines 64-67, Col. 11, lines 1-3.

Rangachari-Tadokoro-Tenney disclosed (re. Claim 8) receiving a connection request and opening a connection to a client, said connection being operable for communicating requests and responses to said requests (Tadokoro teaches HTTP requests), (see Tadokoro, Col. 12, lines 43-45).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 9) receiving a second request from said client system via said network (see rejection of claim 1, supra), said second request selected from the group consisting of information requests, expand requests and edit requests (see Tadokoro, Figures 10-14), wherein, in response to said information requests, an HTML page is generated using a set of selected data for a tool object corresponding to a managed tool for sending to said client system, as well as in response to said edit requests, an HTML page is generated having a portion operable for user entry of one or more values for modifying a tool object attribute for sending to said client system and in response to said expand request an HTML page is generated using a set of child object names and relations to a parent object identified in said expand request for sending to said client (Tadokoro, Col. 8, lines 10-37, Col. 9, lines 1-9, Col. 12, lines 21-44).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 10) wherein said first request denotes an execute request (see Rangachari, Col. 10, lines 52-64).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 11,12,13) the limitations of these claims are substantially the same as that of claim 1 , and thus are rejected for the same rationale in rejecting those claims. Furthermore, with regards to the limitations of parsing a script, determining if said script source includes a method signature matching a method signature of said tool object method, and if so, executing a corresponding portion of said script, see Tadokoro, col. 12, lines 21-44 , Rangachari- Column 9 Lines 20, and Tenney-Column 11 Lines 40 'Java Remote Method Invocation protocol') .

Rangachari-Tadokoro-Tenney disclosed (re. Claim 14) wherein said first request is transferred in accordance with the hypertext transfer protocol (HTTP), and said portion corresponds to a uniform resource locator (see Tadokoro, Col. 10, lines 1-47).

Claims 15-16, 18-26, 41-42, and 45 present a data processing system with the same limitations as Claims 1-2, 4-6, 8-14, and 39-40.

Claims 15-16, 18-26, 41-42, and 45 are rejected on the same basis as Claims 1-2, 4-6, 8-14, and 39-40.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

The Applicant presents the following argument(s) [in italics]:

Rangachari does not teach or suggest a tool server, such as in a preferred embodiment of the present invention, in which a user running a Web browser can communicate over a network to operate a tool.... Tadokoro does not teach or suggest a tool server, such as in the preferred embodiment of the present invention, in which a user running a Web browser can communicate over a network to operate a tool.

Tenney disclosed '*running a Web browser over a network to operate a tool*'. (Tenney-Column 6 Lines 55-65, Column 5 Lines 30-45).

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part

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of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

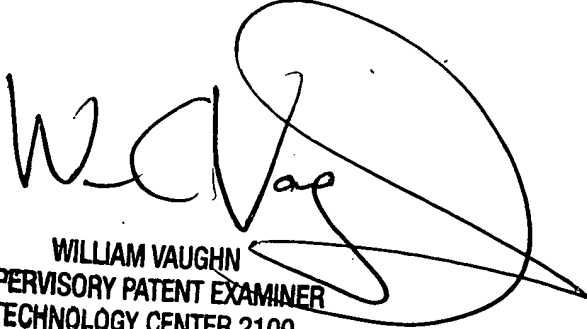
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gcb



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